

REMARKS

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, claims 4 and 13 have been cancelled, while claims 1-3, 5-12 and 14-21 have been amended for clarity.

The Examiner has rejected claims 1-8, 10-16, 18, 19 and 21 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,742,184 to Finseth et al. The Examiner has further rejected claims 9 and 17 under 35 U.S.C. 103(a) as being unpatentable over Finseth et al. In addition, the Examiner has rejected claim 20 under 35 U.S.C. 103(a) as being unpatentable over Finseth et al. in view of U.S. Patent 6,236,395 to Sezan et al.

The Finseth et al. patent discloses an electronic television program guide with calendar tool in which an electronic program guide (EPG) includes a calendar tool 102. In particular, as described in Finseth et al. at col. 13, lines 14 et seq., the calendar tool furnishes the user with an overview of selected programs/types of programs available in the EPG. In addition, Finseth et al. indicates, at col. 13, lines 60-67, "Program list 116 includes a list of media programs (which may include a combination of television programs, audio programs and other multimedia programs)...."

The subject invention relates to managing electronic content information with a user's lifestyle. In particular, many

people have very active lifestyles which occupy portions of their daily lives. To that end, these persons commonly enter their activities into a calendar, e.g., a personal digital assistant (PDA) to remind them of the various activities that the particular user is involved in. These various activities are separate and independent from electronic content that may be of interest to the user. As is usually the case, the activities of the user usually take precedence over the electronic content, but not necessarily. It is the object of the subject invention to integrate the electronic content information with the various activities of the user in a single system. To that end, the subject invention, as claimed in, for example, claim 1, includes "a first input for receiving electronic content information indicative of electronic content available to a user of the data processing system", "a second input for receiving data representative of at least one activity scheduled in a user's activity calendar, said at least one activity being separate from and independent of said electronic content information" and "a processor for managing said electronic content information in dependence on said at least one activity".

The Examiner has indicated that claim 1 is met by the description of the calendar tool 102 of Finseth et al. and quotes the passage appearing at col. 13, lines 14-28, and then states "The scheduled activity is the user watching a particular television program."

According to MPEP 2131, it is well established that "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Furthermore, "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Applicant believes that the Examiner is mistaken with regard to his assessment of the subject invention. In particular, the calendar tool 102 of Finseth et al. merely summarizes in a graphical form various information from the program listing, i.e., the EPG. There is no showing or suggestion that the calendar tool of Finseth et al. shows, or is capable of showing, "...data representative of at least one activity scheduled in a user's activity calendar, said at least one activity being separate from and independent of said electronic content information", or that the Finseth et al. system is capable of "...managing said electronic content information in dependence on said at least one activity". In fact there is no input to the Finseth et al. of such data.

Applicant stresses that the Examiner's statement "The scheduled activity is the user watching a particular television

program" does not show that Finseth et al. anticipates the subject invention, in that "watching a particular television program" is not "separate from and independent of said electronic content information".


These same limitations appear in independent claims 10 and 18.

The Sezan et al. patent discloses an audiovisual information management system that is capable of selecting a particular program analysis technique depending on the amount of available data and the user preferences. However, Applicant submits that Sezan et al. does not supply that which is missing from Finseth et al., i.e., "a second input for receiving data representative of at least one activity scheduled in a user's activity calendar, said at least one activity being separate from and independent of said electronic content information" and "a processor for managing said electronic content information in dependence on said at least one activity".

In view of the above, Applicant believes that the subject invention, as claimed, is neither anticipated nor rendered obvious by the prior art, either individually or collectively, and as such, is patentable thereover.

Applicant believes that this application, containing claims 1-3, 5-12 and 14-21, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

by 
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